

Malibu City Council **Regular Meeting Agenda**

Monday, February 26, 2001

5:30 P.M. - CLOSED SESSION

**City Hall
23555 Civic Center Way**

6:30 P.M. - REGULAR CITY COUNCIL MEETING

**HRL Auditorium
3011 Malibu Canyon Road**

Five-thirty p.m. Closed Session

This time has been set aside for the City Council to meet in a closed session to discuss matters pertaining to existing litigation pursuant to Government Code Section 54956.9(a), and Personnel matter pursuant to Government Code Section 54957. The City Attorney will give an additional oral report regarding the closed session at the beginning of the next regular City Council meeting.

Existing litigation per Government Code Section 54956.9 (a):

1. The Kissel Company, Inc. v. The City of Malibu, et al. Los Angeles County Superior Court Case No. SS008111

Personnel matters pursuant to Government Code section 54957:

2. Public Employee Performance Evaluation
Title: City Manager

Six-thirty p.m. Regular Session

Public Hearings will begin at 6:30 p.m., or as soon thereafter as possible, but in no event later than 7:30 p.m.

Call to Order - Mayor

Roll Call - Recording Secretary

Pledge of Allegiance

Closed Session Report

Approval of Agenda

Report on Posting of Agenda - February 16, 2001

1. Ceremonial/Presentations

None.

2. Written and Oral Communications from the Public

- A. Communications from the Public concerning matters which are not on the agenda but for which the City Council has subject matter jurisdiction. City Council may not act on these matters except to refer the matters to staff or schedule the matters for a future agenda.
- B. City Council Subcommittee reports/Mayor and Councilmember reports and inquiries.

3. Consent Calendar

A. Previously Discussed Items

None.

B. New Items

1. Waive further reading

Staff recommendation: After the City Attorney has read the title, waive full reading of ordinances considered on this agenda for introduction on first reading and/or second reading and adoption.

Staff contact: City Attorney Amerikaner 456-2489 ext. 266

2. Approve warrants

Staff recommendation: To allow and approve warrant demand numbers 15930 through 16038 from the General Fund and direct the City Treasurer to pay out the funds to each of the claimants listed in Warrant Register No. 226 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands, making a total of \$794,487.11 including payroll check numbers 2057 through 2088.

Staff contact: Administrative Services Director James 456-2489 ext. 224

3. Approval of Minutes

Staff recommendation: Approve minutes of January 22nd Regular, January 23rd Quarterly, and February 5th Special City Council meetings.

Staff contact: City Clerk Bloom 456-2489 ext. 228

4. Nomination for Older Americans Recognition Day

Staff recommendation: Receive and file nomination of Hayden Gallagher.

Staff contact: Interim City Manager Hogin 456-2489 ext. 226

5. Approval of Malibu Colony Utility Undergrounding Project

Staff recommendation: Approve Contracts for preliminary consultant work to begin the formation of an assessment district.

Staff contact: City Engineer Morgan 456-2489 ext. 247

6. Approval of Agreement with Southern California Edison for Use of Utility Poles for Special Event Banners

Staff recommendation: Approve Agreement.

Staff contact: City Clerk Bloom 456-2489 ext. 228

7. Update on Civic Center Design Guidelines

Staff recommendation: Receive and file.

Staff contact: Planning Director Hogan 456-2489 ext. 234

4. **Ordinances and Public Hearings**

This portion of the agenda is for ordinances and for advertised hearing items where formal public testimony on each item is received prior to City Council action; the public hearings will begin at 6:30 p.m., or as soon thereafter as possible, but in no event later than 7:30 p.m.

None.

5. **Old Business**

A. Approve Traffic Information Emergency Radio Property Agreement

Staff recommendation: Approve agreement.

Staff contact: Public Works Director Bergson 456-2489 ext. 225

B. Dial A Ride Services

Staff recommendation: 1) That the City Council amend the policy for Dial A Ride services limiting the program to transportation for medical purposes only; and, 2) Approve the agreement with Malibu Yellow Cab to continue providing Dial A Ride services.

Staff contact: Administrative Services Director James 456-2489 ext. 224

6. New Business

A. Contract Renewal for Governmental Impact

Staff recommendation: Consider renewing Professional Services Agreement.

Staff contact: Interim City Manager Hogin 456-2489 ext. 226

Adjournment

Future Meetings

Mon., Mar. 12 th	6:30 p.m.	Regular City Council Meeting	HRL Auditorium
Mon., Mar. 26 th	**	Cancelled	
Wed., Mar. 28 th	6:30 p.m.	Adjourned City Council Meeting	Malibu High School
Mon., Apr. 9, 2001	6:30 p.m.	Regular City Council Meeting	HRL Auditorium
Mon., Apr. 23, 2001	6:30 p.m.	Regular City Council Meeting	HRL Auditorium
Wed., Apr. 25, 2001	6:00 p.m.	Quarterly Review Meeting	City Hall
Wed., May 2, 2001	6:30 p.m.	Council Reorganization Meeting	HRL Auditorium

Guide to the City Council Proceedings

The Oral Communication portion of the agenda is for members of the public to present items which are not listed on the agenda, but are under the subject matter jurisdiction of the City Council. No action may be taken under this section except to direct staff unless the Council, by a two-thirds vote, determines that the need to take action arose after the posting of the agenda or that the item presents an emergency situation for which action is required prior to the next regularly scheduled meeting of the City Council. Although no action may be taken on these non agenda items, the Council and staff will follow up on those items needing response. Each speaker is limited to (3) three minutes. Time may be surrendered by deferring (1) one minute to another speaker, on the same item, not to exceed a total of (8) eight minutes. The speaker wishing to defer time must be present when the item is heard. In order to be recognized and present an item, each speaker must complete and submit to the Recording Secretary a Request to Speak form prior to the beginning of the item being announced by the Mayor (forms are available at the Chamber doors). Speakers are taken in the order slips are submitted.

Items in Consent Calendar Section A have already been considered by the Council at a previous meeting where the public was invited to comment, after which a decision was made. These items are not subject to public discussion at this meeting because the vote taken at the previous meeting was final. Resolutions concerning

decisions made at previous meetings are for the purpose of memorializing the decision to assure the accuracy of the findings, the prior vote, and any conditions imposed.

Items in Consent Calendar Section B have not been discussed previously by the Council. If discussion is desired, an item may be removed from the Consent Calendar and will be considered individually. Councilmembers may indicate a negative or abstaining vote on any individual item by so declaring prior to the vote on the motion to adopt the entire Consent Calendar. Items excluded from Consent Calendar will be taken up by the Council following the action on the consent calendar. The Council first will take up the items for which public speaker requests have been submitted. Public speakers are limited to (3) three minutes each. If a speaker slip is submitted late the speaker's time will be limited to (2) minutes. If more than 10 speaker slips are submitted each speaker's time will be limited to (2) two minutes each.

Items set for Public Hearing commence at 7:30 p.m. or as soon thereafter as practicable. At that time the City Council will stop its other proceedings and move directly to Public Hearing items. At the conclusion of Public Hearings the City Council will continue the agenda where it left off. For Public Hearings involving zoning matters the appellant will be given 15 minutes to present their position to the City Council, including rebuttal time. All other testimony shall be limited to (3) three minutes per person and follow the rules as set forth under Oral Communication.

Items in Old Business are items which have appeared on previous agendas but have either been continued or tabled to this meeting with no final action having been taken. Public comment on any item is permitted under the public comment rules. Speakers should address whether they are supportive or opposed to either the recommended action or the motion before the City Council for decision. Items in New Business are items which are appearing for the first time for formal action. Public comment on any item is permitted under the public comment rules. Speakers should address whether they are supportive or opposed to either the recommended action or the motion before the City Council for decision.

Items in City Council Items are items which individual members of the City Council may bring up in terms of reporting to other members of the City Council, to propose future agenda items or to suggest future staff assignments. Items discussed under City Council Items follow the same rules as set forth under Oral Communications in terms of the actions the City Council may take on any item brought up under this portion of the agenda. Each Councilmember's oral item presentations are limited to four minutes. No new items will be taken-up after 10:30 p.m. without a two-thirds vote of the City Council.

City Council meetings are aired on City of Malibu Government Access Channel 15. Broadcasts on Channel 15 occur at 8:00 a.m. and 8:00 p.m Monday, Wednesday and Friday, Tuesday and Thursday at 8:00 p.m., and at 2:00 p.m. on both Saturday and Sundays. Copies of the staff reports or other written documentation relating to each item of business described above are on file in the office of the City Clerk, Malibu City Hall, 23555 Civic Center Way, Malibu, California and are available for public inspection during regular office hours which are 8:30 a.m. to 5:00 p.m., Monday through Friday. Copies of staff reports may be purchased for \$0.25 per page. Pursuant to State law, this agenda was posted at least 72 hours prior to the meeting at the Malibu City Offices, Malibu Community Center at Point Dume and Malibu Community Library. The City Hall phone number is (310) 456-2489. To contact City Hall using a telecommunication device for the deaf (TDD), please call (800) 735-2929 and a California Relay Service operator will assist you. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Building & Safety Director Victor Peterson, (310) 456-2489, ext. 251. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADD Title II]